

BEFORE THE DEPARTMENT OF FISH, WILDLIFE AND PARKS  
OF THE STATE OF MONTANA

In the matter of the adoption of New Rule I pertaining to a Pilot Program for Aquatic Invasive Species in the Flathead Basin ) NOTICE OF PUBLIC HEARINGS ON PROPOSED ADOPTION ) ) )

TO: All Concerned Persons

1. On February 6, 2018, at 2:00 p.m., the Department of Fish, Wildlife and Parks (department) will hold a public hearing at the Fish, Wildlife and Parks Region 1 Office, 490 North Meridian Road, Kalispell, Montana, to consider the proposed adoption of the above-stated rule.

On February 6, 2018, at 2:00 p.m., the department will hold a public hearing at the Fish, Wildlife and Parks Region 2 Office, 3201 Spurgin Rd, Missoula, Montana, to consider the proposed adoption of the above-stated rule.

2. The department will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. If you require an accommodation, contact the department no later than January 26, 2018, to advise us of the nature of the accommodation that you need. Please contact Kaedy Gangstad, Department of Fish, Wildlife and Parks, P.O. Box 200701, Helena, Montana, 59620-0701; telephone (406) 444-4594; or e-mail kgangstad@mt.gov.

3. The rule as proposed to be adopted provides as follows:

NEW RULE I PILOT PROGRAM FOR FLATHEAD BASIN (1) Vessels and equipment traveling into the Flathead Basin that have been used on waters outside of the Flathead Basin must be inspected at a department inspection station prior to launching within the Flathead Basin.

(2) Emergency response vehicles and equipment engaging in emergency response activities are exempt.

(3) Violation of this rule is subject to penalty under 80-7-1014, MCA.

(4) This rule expires June 30, 2019, pursuant to 80-7-1027, MCA.

AUTH: 80-7-1007; 80-7-1010, 80-7-1027, MCA

IMP: 80-7-1027, MCA

REASON: 80-7-1027, MCA, creates a pilot program for addressing aquatic invasive species (AIS) issues in the Flathead Basin. FWP has been working with concerned citizens and groups in attempting to implement rules for this pilot program. In addition, the Confederated Salish and Kootenai Tribes (CSKT) have requested that FWP create rules to add inspection requirements for watercraft entering the

Flathead Basin. The intent of the new rule is to add an additional layer of protection in the Flathead Basin to help prevent the transport and introduction of AIS.

4. Concerned persons may submit their data, views, or arguments either orally or in writing at the hearing. Written data, views, or arguments may also be submitted to: Tom Woolf, Department of Fish, Wildlife and Parks, P.O. Box 200701, Helena, Montana, 59620-0701; or e-mail Thomas.Woolf@mt.gov, and must be received no later than February 9, 2018.

5. Kaedy Gangstad or another person appointed by the department has been designated to preside over and conduct these hearings.

6. The department maintains a list of interested persons who wish to receive notice of rulemaking actions proposed by the department or commission. Persons who wish to have their name added to the list shall make written request that includes the name and mailing address of the person to receive the notice and specifies the subject or subjects about which the person wishes to receive notice. Such written request may be mailed or delivered to Fish, Wildlife and Parks, Legal Unit, P.O. Box 200701, 1420 East Sixth Avenue, Helena, MT 59620-0701, or may be made by completing the request form at any rules hearing held by the department.

7. The bill sponsor contact requirements of 2-4-302, MCA, apply and have been fulfilled. The bill sponsor was notified via e-mail and telephone on December 13, 2017.

8. With regard to the requirements of 2-4-111, MCA, the department has determined that the adoption of the above-referenced rule will not significantly and directly impact small businesses.

/s/ Aimee Hawkaluk  
Aimee Hawkaluk  
Rule Reviewer

/s/ Martha Williams  
Martha Williams  
Director  
Department of Fish, Wildlife and Parks

Certified to the Secretary of State January 2, 2018.